

**AGENDA
CRAVEN COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
MONDAY, APRIL 4, 2016
7:00 P.M.**

CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

1. PETITIONS OF CITIZENS
2. CONSENT AGENDA
 - A. Minutes of March 21, 2016
 - B. Tax Releases and Refunds
 - C. Road Addition Resolution
 - D. Request to Set Public Hearing – Subdivision Ordinance Changes
 - E. Sheriff's Department Budget Amendment

DEPARTMENTAL MATTERS

3. CARTS – REQUEST FOR APPROVAL OF RESOLUTION TO APPLY FOR AND ENTER AGREEMENT WITH NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR FY2017 URBAN STATE MATCH FUNDS:
Kelly Walker, CARTS Director
4. APPOINTMENTS
5. COUNTY ATTORNEY'S REPORT: Jim Hicks
6. COUNTY MANAGER'S REPORT: Jack Veit
7. COMMISSIONERS' REPORTS
8. CLOSED SESSION

Agenda Date: April 4, 2016

Presenter: _____

Agenda Item No. 1

Board Action Required or Considered: No

PETITIONS OF CITIZENS

Board Action: Receive information

Agenda Date: April 4, 2016

Presenter: _____

Agenda Item No. 2

Board Action Required or Considered: Yes

CONSENT AGENDA

A. MINUTES OF MARCH 21, 2016

The Board will be requested to approve the minutes of March 21, 2016 regular session.

B. TAX RELEASES AND REFUNDS

The Board will be requested to approve the routine requests for tax releases and refunds contained in Attachment #2.B.

There are two releases and one refund of larger than normal amounts that require some further explanation.

The releases for the Mallison and Simmons properties in foreclosure are routine in nature except for the large amounts released for one of the years for each property. Most of the Malison release for 2011 consists of \$5,506.15 in a nuisance abatement lien added by the City of Havelock. As a result of the foreclosure, this lien along with the lien for taxes is removed as the City and County now own it. The Simmons release in the amount of \$9,136.03 is entirely a City of New Bern nuisance abatement lien on the property that is being released as a result of the City and the County acquiring the parcel through the foreclosure process.

There is also a refund request from Joe's Toys, Inc. in the amount of \$10,982.80. The corporation is requesting a refund of tax paid on its helicopter that was incorrectly listed in Craven County. The tax situs of this aircraft is in Carteret County and thus the tax paid to Craven County is an illegal tax that should be refunded. It is my understanding that the taxpayer is working with Carteret County officials to rectify this listing so that it is properly taxed by that county.

C. ROAD ADDITION RESOLUTION

The Board will be requested to approve the road addition resolution contained in Attachment #2.C and to approve that a portion of Station House Road and Coree Way to be turned over to the State of North Carolina for maintenance. The resolution, once passed, will be forwarded to NCDOT for their final consideration and acceptance of the road to the State Maintenance System.

D. REQUEST TO SET PUBLIC HEARING – SUBDIVISION ORDINANCE CHANGES

The Craven County Planning Department requests to set a public hearing on May 2nd, 2016 at 7:00 p.m. The purpose of this public hearing is to review and approve the recommended Subdivision Ordinance changes as presented at the March, 21st 2016 work session.

E. SHERIFF'S DEPARTMENT BUDGET AMENDMENT

The Board will be requested to approve the budget amendment contained in Attachment #2.E.

Board Action: A roll call vote is needed to approve consent agenda items.

Agenda Date: April 4, 2016

Presenter: Kelly Walker

Agenda Item No. 3

Board Action Required or Considered: Yes

**DEPARTMENTAL MATTERS: CARTS – REQUEST FOR APPROVAL OF
RESOLUTION TO APPLY FOR AND ENTER AGREEMENT WITH NORTH
CAROLINA DEPARTMENT OF TRANSPORTATION FOR FY2017 URBAN STATE
MATCH FUNDS**

On March 14, 2016 the North Carolina Department of Transportation/Public Transportation Division released a call for projects due April 1. This call for projects was for small urban systems to apply for 2017 Urban State Match funds.

A resolution to enter into an agreement for Urban State Match funding for FY2016 Urbanized Area Formula Program (5307 federal grant) vehicles was approved at the March 21 meeting. Those vehicles are not part of this request. This request is for Urban State Match on FY2017 Bus and Bus Facilities Formula (5339 federal grant) funded vehicles.

CARTS has been approved to receive three FY2017 replacement vehicles purchased with 5339 Bus and Bus Facilities Formula federal funding through NCDOT. At the March 7 meeting, a resolution was approved allowing application for that funding. As a reminder, the vehicles will replace vehicles which have met useful life as defined by NCDOT. The project total was \$174,000 with at 15% local match, or \$26,100. If CARTS is approved for FY2017 Urban State Match funds for the FY2017 5339 Bus and Bus Facilities project, NCDOT/PTD would match 7% or \$12,180. The remaining 8% or \$13,920 would be the new, reduced, local match. These vehicles are designated for use in the urbanized area only.

CARTS is asking for approval of the resolution, shown as Attachment #3, which would allow CARTS to apply for and Craven County to enter into agreement for FY2017 Urban State Match funding for FY 2017 5339 Bus and Bus Facilities funded vehicles.

Board Action: Consider resolution for approval

Agenda Date: April 4, 2016

Presenter: _____

Agenda Item No. 4

Board Action Required or Considered: Yes

APPOINTMENTS

- A. CURRENT
- B. PENDING
- C. UPCOMING

Board Action: Appointments will be effective immediately, unless otherwise specified.

CRAVEN COMMUNITY CHILD PROTECTION TEAM

AUTHORIZATION: NCGS 7B-1406

MISSION/FUNCTION: To respond to child protection needs before a child is harmed by taking action to identify and address gaps or deficiencies in services and resources through the annual report to the County Board of Commissioners, collaboration with community partners, promoting public awareness and advocating for action that addresses the child protection needs of each county.

NUMBER OF MEMBERS: 11-16

TYPE: DSS Director, DSS staff member, law enforcement officer, attorney from DA's office, executive director of local community action agency, public School superintendent or designee, member of DSS Board, mental health professional, Guardian ad Litem Coordinator, Public Health Director, local health care provider, EMS/firefighter, District Court Judge, Commissioners appointees from other county agencies or community at-large

QUALIFICATIONS: Stated above.

LENGTH OF TERMS: As set by respective agencies, position and Commissioners'

MEETING SCHEDULE: Quarterly; January, April, July, October

Term(s) expiring: Dawn Gibson (Not seeking reappointment; parent who has lost child before the age of 18)

No applications on file.

NURSING HOME ADVISORY COMMITTEE

AUTHORIZATION: N.C.G.S.131E-115

MISSION/FUNCTION: Work to maintain the intent of the Nursing Home Patients Bill of Rights within the licensed homes in the County; to promote community involvement and cooperation with domiciliary homes to ensure quality care for the elderly.

NUMBER OF MEMBERS:
7-12

TYPE:
Dictated by the number of homes in the county;
homes have right to recommend 25% of appointees

QUALIFICATIONS (Special Skills, Professional Classifications, Affiliations, Limitations, etc.):

Cannot be employed by or have a relative in a nursing home.

LENGTH OF TERMS: 3 Years

MEETING SCHEDULE: Quarterly, beginning in March, third Wednesday, 10:00 a.m.

COMPENSATION: No ☒ Yes ☐ Specify: _____

Term(s) expiring: Donna Siegmund (2013 – not functioning)

No applications on file.

RIVER BEND BOARD OF ADJUSTMENT (EXTRATERRITORIAL JURISDICTION)

AUTHORIZATION: NCGS 160A-362

MISSION/FUNCTION: Serves as a quasi-judicial body; reviews and rules on permitted variances

NUMBER OF MEMBERS:

1

TYPE:

Resident of River Bend's ETJ Area

1

Alternate; resident of River Bend's ETJ Area

QUALIFICATIONS (Special Skills, Professional Classifications, Affiliations, Limitations, etc.):

LENGTH OF TERMS: 3 Years

MEETING SCHEDULE: As needed

No applications on file.

B. CURRENT APPOINTMENTS

CRAVEN AGING PLANNING BOARD

AUTHORIZATION: Bylaws

MISSION/FUNCTION: To provide a comprehensive assessment of the needs and opportunities associated with older adults; an achievable vision of successful aging. Craven County based programs for the support of and investment in older adults and their families, including a system of care for high-risk older adults; and policy strategies for maximizing the functional independence and quality of life of older adults and their families consonant with their wishes and desires.

Serves as the sole policy formulation board concerning aging programs on behalf of the Craven County Board of Commissioners.

NUMBER OF MEMBERS:

18

TYPE:

Agency - 10

Local Government - 3

Client/Caregiver - 2

Senior Representative - 3

QUALIFICATIONS (Special Skills, Professional Classifications, Affiliations, Limitations, etc.):

Representative of senior population (60+ years of age), client representative (caretaker of an older adult, employed by or volunteering for senior service provider) or representative of one of the following agencies or government entities: Craven County DSS, Craven County Health, Carolina East Medical Center, CARTS, Employment Security Commission, Neuse Center, Coastal Community Action, Legal Aid of North Carolina, Senior Tarheel Legislature, Craven County Commissioners, Craven County Manager, Council of Governments.

LENGTH OF TERMS: 2 Years

MEETING SCHEDULE: Fourth Thursday of every second month, beginning in January, at 1:30 p.m. in the Craven County Administration Building

COMPENSATION: No X Yes ☐ Specify: _____

Terms Expiring: Joy Hudson (Permanent agency seat; Employment Security Commission "ESC")*
 Linda Klund (Permanent agency seat; Trillium)

*The ESC member has not been attending for some time. The Aging Planning Board is in the process of determining if this seat needs to continue or if bylaws need amendment.

No applications on file.

CRAVEN COUNTY HEALTH BOARD

AUTHORIZATION: NCGS 130A-35

MISSION/FUNCTION: Primary policy making and hearing body for the Craven County Health Department, charged with the immediate care and responsibility for promoting and protecting the public health in Craven County.

NUMBER OF MEMBERS:

11

TYPE:

A physician, dentist, optometrist, veterinarian,
registered nurse, licensed pharmacist, Craven
County Commissioner, general public

QUALIFICATIONS (Special Skills, Professional Classifications, Affiliations, Limitations, etc.):

(See above)

LENGTH OF TERMS: 3 Years

MEETING SCHEDULE: 2nd Monday of every month, 12:00 – 1:30 p.m.

COMPENSATION: No ☐ Yes ☒ Specify: \$50/meeting

Term(s) expiring: Dr. Eric Wheelis (Veterinarian; appointed 2013; but **considering not seeking re-appointment**)

No application on file.

DOWN EAST RPO (Rural Planning Organization)

AUTHORIZATION: Memorandum of Understanding (Pursuant to NCGS 136-211)

MISSION/FUNCTION: To develop, in cooperation with the Department of Transportation, long-range local and regional multimodal transportation plans; to provide a forum for public participation in the transportation planning process; to develop and prioritize suggestions for transportation projects the organization believes should be included in the State's Transportation Improvement Program; and to provide transportation-related information to local governments and other interested organizations and persons.

NUMBER OF MEMBERS:

1
1
1
1

TYPE: (TAC)

County Elected Official
County Alternate (Elected Official)
Municipal Elected Official
Municipal Alternate (Elected Official)

QUALIFICATIONS (Special Skills, Professional Classifications, Affiliations, Limitations, etc.):

LENGTH OF TERMS: 2 Years

MEETING SCHEDULE: _____

COMPENSATION: No ☒ Yes ☐ Specify: _____

Term(s) ending: Chad Braxton (municipal official; appointed 2013; **wishes to continue**)

No applications on file.

AGRICULTURAL ADVISORY COMMITTEE

AUTHORIZATION: Local Ordinance

MISSION/FUNCTION: Administer provision of the Craven County Voluntary Agricultural District Ordinance and perform other agricultural related tasks or duties assigned by the Craven Count Board of Commissioners.

NUMBER OF MEMBERS:

9

TYPE:

(See qualifications)

QUALIFICATIONS (Special Skills, Professional Classifications, Affiliations, Limitations, etc.):

1) resident of area Township representing; 2) agricultural landowner; 3) actively and directly involved in agricultural production on at least 10 acres of farmland 4) special interest, experience, or education in agriculture and/or rural land preservation

LENGTH OF TERMS: 3 Years

MEETING SCHEDULE: At the call of the Chairperson

COMPENSATION: No ☒ Yes ☐ Specify: _____

Terms expiring:

Jimmy Arthur (appointed 2009)

Glen Ipock (appointed 2009)

David Parker (appointed 2009)

Carl Turner (appointed 2010)

Wyatt Whitford (appointed 2009)

(All seeking reappointment except Jimmy Arthur, but will stay until replacement found.)

No applications on file.

Agenda Date: April 4, 2016

CRAVEN COUNTY CLEAN SWEEP COMMITTEE

AUTHORIZATION: Bylaws

MISSION/FUNCTION: To eliminate littering and promote recycling through education and ordinance enforcement.

NUMBER OF MEMBERS:

15

TYPE:

Civic, neighborhood, municipal, industrial business,
schools

QUALIFICATIONS (Special Skills, Professional Classifications, Affiliations, Limitations, etc.):

LENGTH OF TERMS: 3 Years

MEETING SCHEDULE: 3rd Wednesday of the months of March, June, September and December

COMPENSATION: No X Yes ☐ Specify: _____

Application on file to fill vacancy: Peggy Broadway (Attachment #4.B.)
(She expressed interest and the committee requests her appointment.)

C. UPCOMING APPOINTMENTS

May

EMS Advisory Council:

Keith Morris (Appointed 2012)
Jonathan Stephens (Appointed 2012)

Local Emergency Planning Committee:

Paul Bryant (Appointed 2011)
Danny Hill (Appointed 2011)
Tamara Jones (Appointed 2011)
Timothy Lawrence (Appointed 2011; MCAS)
Rick Weaver (Appointed 2011; MCAS)
Deborah Yarborough (Appointed 2011)

New Bern Board of Adjustment:

John "Pop" Murrell (Appointed 2013)

June

ABC Board:

Chip Chagnon (Appointed 2013)
Tony Lee (Appointed 2013)
Barbara Whiteman (Appointed 2013)

Social Services Board:

Clayton Gaskins (Appointed 2013)

Fire Tax Commissioner:

Sandra Hammer (Appointed 2014)

Juvenile Crime Prevention Council:

Jennifer Dacey (Appointed 2013)
Dawn Gibson (Appointed 2014)
Debbie Hodges (Appointed 2010; Schools)
Jan Hood (Appointed 2012; Non-Profit; retired)
Jean Huryn (Appointed 2010; Substance Abuse)
Faye Legacy (Appointed 2014; DSS)
Todd Shuart (Appointed 2010; YMCA)
Toussaint Summers (Appointed 2011; N.B.P.D.)

Nursing Home Advisory Committee:

Howard Humphreys (Appointed 2013)

Recreation Advisory Board:

Dickie Fairburn (Appointed 2009; two terms)
Cathy Frazier (Appointed 2013)
Bill Taylor (Appointed 2010; two terms)

Coastal Carolina Airport Authority:

Harold Blot (Appointed 2008)

Agenda Date: April 4, 2016

Presenter: Jim Hicks

Agenda Item No. 5

COUNTY ATTORNEY'S REPORT

A. Final Acceptance - Offer to Purchase Real Property – Off of Maul Swamp Road, Vanceboro (Parcel Number 1-044-156)

The County previously received and tentatively approved an offer in the amount of \$1,000.00 for this property, which was acquired through a tax foreclosure. The total taxes and costs that were foreclosed were \$1,469.12. The current tax value is \$13,500.00. The offer was advertised, and there were no upset bids. Attachment #5 contains the proposed resolution, deed and lien waiver.

B. Request for Closed Session – Real Property Acquisition

The County Attorney requests a closed session to discuss real property acquisition, in accordance with G.S. Sec. 143-318.11(a)(5).

Agenda Date: April 4, 2016

Presenter: Jack Veit

Agenda Item No. 6

COUNTY MANAGER'S REPORT

Agenda Date: April 4, 2016

Presenter: _____

Agenda Item No. 7

COMMISSIONERS' REPORTS

Property acquisition (NCGS 143-318.11(a)(5))

Agenda Date: April 4, 2016

Presenter: _____

Agenda Item No. 8

CLOSED SESSION